

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Civil Action No. 3:17-cv-00266-RJC-DSC**

**JEFFREY PODESTA and STREET
SEARCH, LLC,**

Plaintiffs,

v.

**JOHN F. HANZEL, ESQUIRE, JOHN F.
HANZEL, P.A. ATTORNEYS AT LAW,
JOHN P. SCAFIDI, HONEYWOOD
ENERGY, LLC (formerly known as
Blackwood Energy, LLC), JAYSON
COLAVALLA, TONY C. SCOTT, SAMUEL
V. WATKINS, a/k/a WATKINS V.
SAMUEL, TALC PROPERTIES FL, LLC,
and TALC PROPERTIES VENTURES,
LLC,**

Defendants.

**DECLARATION OF
JAYSON COLAVALLA**

I, Jayson Colavalla, hereby declare:

1. I am over the age of eighteen (18) years of age and am competent to testify about the matters set forth herein. I have personal knowledge of the facts set forth below, which are true and correct. I make this Declaration in support of Defendant Jayson Colavalla's Motion to Dismiss for Insufficient Service of Process and Failure to State a Claim.

2. I am a citizen and resident of Florida.

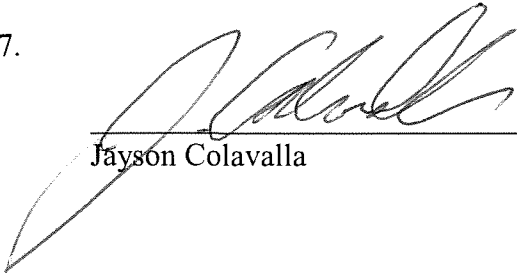
3. I do not reside at 20324 Carrington Trace Drive, Cornelius, NC 28031, and have never resided there. I did not receive any documents relating to this case, including a Summons or Complaint, at that address on July 29, 2017, or any other date.

4. My only connection to the address is that a friend of mine previously resided there and I used that address for about three (3) months in 2016 to receive mail while I traveled to and from Florida for work. In February 2017, I spent approximately three (3) days helping my friend move from that address. I have not physically been back to the location since February 2017, and certainly was not there in July 2017.

5. To date, I have not received a copy of the Summons of the Complaint at any other address.

6. I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

Executed this 18th day of August, 2017.



Jayson Colavalla

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing **DECLARATION OF JAYSON COLAVALLA** has this date been electronically filed with the Clerk of Court using the CM/ECF system, and has been served on all parties via first class mail, sufficient postage prepaid, and addressed as follows:

Michael Gray Gibson
Dean & Gibson, LLP
301 S. McDowell St., Suite 900
Charlotte, NC 28204

*Attorneys for Plaintiffs Jeffrey Podesta and
Street Search, LLC*

John P. Scafidi
18033 SW 115 Court
Miami, FL 33187

Tony C. Scott
400 West Denny Avenue
Pinebluff, NC 28373-8218

TALC Private Ventures, LLC
Attn: Officer, Director or Managing Agent
50 Biscayne Blvd., Suite 510
Miami, FL 33132

John F. Hanzel
John F. Hanzel, P.A.
19425-G Liverpool Parkway
Cornelius, NC 28031

*Attorneys for John F. Hanzel and John F.
Hanzel, P.A.*

Honeywood Energy, LLC
Attn: Officer, Director or Managing Agent
19425-G Liverpool Parkway
Cornelius, NC 28031

Samuel V. Watkins
606 Grantham Lane
Charlotte, NC 28262-1619

TALC Properties FL, LLC
Attn: Officer, Director or Managing Agent
50 Biscayne Blvd., Suite 510
Miami, FL 33132

This 21st day of August, 2017.

s/ Jon P. Carroll

Jon P. Carroll, N.C. State Bar No. 33850
Jennifer M. Houti, N.C. State Bar No. 45442
James, McElroy & Diehl, P.A.
600 South College Street
Charlotte, North Carolina 28202
Telephone: (704) 372-9870
Facsimile: (704) 350-9317
Email: jcarroll@jmdlaw.com
jhouti@jmdlaw.com
Attorneys for Defendant Jayson Colavalla